

**INSTRUCTIONS FOR COMPLETING ELIGIBILITY FORM  
AND APPLICATION FOR ADVANCE BENEFITS FROM  
THE SEPTEMBER 11<sup>TH</sup> VICTIM COMPENSATION FUND OF 2001**

*This claims process has been established under the September 11<sup>th</sup> Victim Compensation Fund, part of legislation passed by Congress and signed into law by the President to provide compensation for economic and non-economic loss to individuals or relatives of deceased individuals who were killed or physically injured as a result of the terrorist-related aircraft crashes of September 11, 2001. The United States Department of Justice and the Special Master are committed to ensuring that this program is administered expeditiously, fairly, and in a manner that is sensitive to the needs of those who have suffered as a result of the attacks of September 11. To help accomplish these goals, assistance will be made available to all claimants to help them in completing this claims process and in obtaining any and all benefits that will be available to eligible claimants under this Fund.*

Attached is an Eligibility Form and Application for Advance Benefits from the September 11<sup>th</sup> Victim Compensation Fund of 2001. Please read all the instructions and information carefully before completing this form. Claimants should also carefully review the Regulations for the September 11<sup>th</sup> Victim Compensation Fund of 2001 (available at: [www.usdoj.gov/victimcompensation](http://www.usdoj.gov/victimcompensation)).

**General Instructions:**

If you have downloaded this form from our website ([www.usdoj.gov/victimcompensation](http://www.usdoj.gov/victimcompensation)), you can complete the form on your computer and print out the completed form. Please be aware that as you complete the form electronically, spacing will occur after you make an entry in each field and tab to the next field. You must date and sign the form in all required places in blue or black ink.

If you are not able to complete the form electronically, please print clearly and carefully in capital letters or clear numbers in blue or black ink and avoid contact with the edge of the box. For example:

A	B	C	D	E	F	G	H	I	J	K	L	M
N	O	P	Q	R	S	T	U	V	W	X	Y	Z
0	1	2	3	4	5	6	7	8	9			

**Claims can be submitted:**

by mail to:

Victim Compensation Fund  
P.O. Box 18698  
Washington, DC 20036-8698

by overnight mail to:

Victim Compensation Fund  
1120 G Street, N.W.  
Suite 300  
Washington, DC 20005  
202-628-1764

by facsimile:

If you are applying for Advance Benefits – You can fax a copy of your form to the Victim Compensation Fund at 301-987-8600. *If you submit your claim by fax, you will still need to submit the original form and documentation by U.S. mail before any benefits can be awarded.*

You may attach additional pages if you need more space for your answers. You may also attach any additional documents you wish to provide.

Only one claim form may be submitted per injured claimant or on behalf of a deceased Victim. Only the “Personal Representative” of a deceased Victim can submit a claim on behalf of a deceased Victim.

You have two years from the effective date of the regulations to file a claim under this program. The regulations were effective on December 21, 2001

### **General Information:**

If you have any questions or encounter any difficulty, you may obtain assistance by calling toll free 888-714-3385 or TDD 888-560-0844. If you are calling from outside the United States, please call 202-305-1352. The Special Master will establish offices in several states where Victims or their representatives can receive assistance in person (the locations will be publicized on the website and through the toll free assistance line).

You do not need to be a citizen or resident of the United States to qualify or to submit a claim.

You can contact the assistance line if you need help with translation.

You will be notified when your Eligibility Form is received and you will be advised of any deficiency in your Form and of any required documentation that is missing.

All claimants must complete and submit the form called “Eligibility Form and Application for Advance Benefits.” Certain claimants may be eligible for Advance Benefits.

In addition, all claimants must complete a Personal Injury Compensation Form or Death Compensation Form to apply for an award. The documentation that is required to be submitted with the Personal Injury Compensation Form and Death Compensation Form will be available with the instructions to those forms. All claimants who file an Eligibility Form will be notified when the Compensation Forms are available.

Except for applications for Advance Benefits, no claim will be considered until the claimant has submitted both the Eligibility Form and either the Personal Injury Compensation Form or the Death Compensation Form.

It is important that you keep the Special Master informed of your current address and that you respond during this two year program to requests for additional information. If you have not completed your filing by the end of this program your claim will be deemed abandoned.

***The decision of the Special Master is final and is not subject to judicial review.***

**Important Notice:**

If you wish, you have the right to present evidence, including the presentation of witnesses and documents, in the claims process.

If you apply for benefits from the program and the Special Master determines that your application is substantially complete you are **waiving the right** to file a civil action (or be a party to an action) in any federal or state court for damages sustained as a result of the terrorist-related aircraft crashes of September 11, 2001. This Waiver of Rights could apply to the rights of individuals other than the Claimant.

**Questions and Answers**

**A. Eligibility**

**How do I know if I am eligible for compensation?**

Eligible claimants are:

1. Individuals present at the World Trade Center, Pentagon, or Shanksville, Pennsylvania, site at the time of or in the immediate aftermath of the crashes and who suffered physical harm as a direct result of the terrorist-related aircraft crashes;
2. The Personal Representatives of deceased individuals aboard American Airlines flights 11 or 77 and United Airlines flights 93 or 175; and
3. The Personal Representatives of individuals who were present at the World Trade Center, Pentagon, or Shanksville, Pennsylvania site at the time of or in the immediate aftermath of the crashes and who died as a direct result of the terrorist-related aircraft crashes.

**B. Forms and Documents**

**What form do I need to fill out to show that I am eligible to participate in the program?**

The form entitled “Eligibility Form and Application for Advance Benefits” will be used by the Special Master to determine your eligibility to receive benefits from the Fund:

1. All Claimants must complete Section I (“Victim Information”), Section V (“Payment”) and Section VI (“Signatures”).
2. If you are a Victim who has been physically harmed (or the representative of a Victim who was physically harmed and are submitting the claim on his/her behalf), complete Section II and skip

Section III. If you are the Personal Representative of a deceased Victim, skip Section II and complete Section III.

3. If you are eligible to apply for Advance Benefits, also complete Section IV.
4. Read the Instructions carefully and attach all documentation and proof that is required for your claim.

**What documentation do I have to submit with the Eligibility Form and Application for Advance Benefits?**

1. For proof of presence at site: Submit documents that show the Victim's presence at one of the crash sites. Examples are a certified copy of a death certificate, records of employment, certified contemporaneous medical records, contemporaneous records of federal, state, city or local government, an affidavit or declaration of the decedent's or injured claimant's employer, or other sworn statement regarding the presence of the Victim.
2. For proof of death on board aircraft: Certified copy of a death certificate or records of American or United Airlines or other sufficient official documentation.
3. For proof of death: Certified copy of a death certificate or similar official documentation.
4. For proof of physical harm: Certified contemporaneous medical records of hospitals, clinics, physicians, licensed medical personnel, or registries maintained by federal, state, or local government, and certified records of all continuing medical treatment.
5. For proof of status as a deceased Victim's Personal Representative: Relevant legal documents, including court orders; letters testamentary or similar documentation; proof of the Personal Representative's relationship to the decedent; copies of wills, trusts, or other testamentary documents; and information regarding other possible beneficiaries as requested by the Eligibility Form.

**Where do I send the form?**

Claims can be submitted:

by mail to:

Victim Compensation Fund  
P.O. Box 18698  
Washington, DC 20036-8698

by overnight mail to:

Victim Compensation Fund  
1120 G Street, N.W.  
Suite 300  
Washington, DC 20005  
202-628-1764

by facsimile:

If you are applying for Advance Benefits – You can fax a copy of your form to the Victim Compensation Fund at 301-987-8600. *If you submit your claim by fax, you will still need to submit the original form and documentation by U.S. mail before any benefits can be awarded.*

## **C. Advance Benefits**

### **What is an Advance Benefit?**

An Advance Benefit is a payment of \$50,000 to the Personal Representative of the deceased individual and \$25,000 to a physically injured individual who was hospitalized for one week or more.

### **Will this be my only payment?**

If you receive an Advance Benefit, you should still file the additional compensation form that will allow you to seek an award for economic and non-economic loss. The amount of the Advance Benefit will be deducted from any final award.

### **How do I apply for an Advance Benefit?**

Fill out the “Eligibility Form and Application for Advance Benefits” and check the box indicating that you want to apply for Advance Benefits (Section IV).

When you file the form you must attach certain documents. If you are filing for a deceased individual, you must attach a death certificate and proof that the Victim is eligible. Eligibility means that the Victim was killed during or in the immediate aftermath of the attacks and was in one of the planes or buildings or was in the immediate vicinity of the crash sites. If you are an injured Victim, you must attach medical records showing your hospitalization.

If you make a claim for a deceased Victim, you must also provide documents showing that you are the Personal Representative of and your relationship to the Victim.

### **Do I give up any rights by filing for an Advance Benefit?**

If you submit a substantially complete Eligibility Form and Application for Advance Benefits, you will be deemed to have applied to participate in the Fund and therefore you will be giving up your right to bring a lawsuit. This Waiver of Rights could apply to the rights of individuals other than the claimant.

### **How quickly will I get an Advance Benefit?**

Payments will be issued promptly after the Special Master determines that you are eligible. If you are not the spouse of a deceased Victim, there will be a 15-day waiting period to allow time for other individuals who may have an interest in any award on behalf of the Victim to notify the Special Master of their interest in the Fund.

### **If I am not eligible for an Advance Benefit, may I still apply for compensation for economic and non-economic loss?**

Yes. While you may not satisfy the criteria for an Advance Benefit, you may satisfy the criteria for compensation for economic and non-economic loss.

## **When can I expect to receive an Advance Benefit payment if I am eligible?**

Payment will be authorized immediately upon a determination that the claimant is eligible for Advance Benefits if the Claimant is (i) an injured Victim, (ii) a Personal Representative who is the spouse of the deceased Victim, or (iii) a Personal Representative who has obtained the consent of the spouse of the deceased Victim, or, if there is no surviving spouse, of all of the dependents of the deceased Victim.

With respect to other Personal Representatives, payment will be authorized within 15 days after the determination that the claimant is eligible for Advance Benefits, provided that (i) no other individual has asserted a conflicting claim as the Personal Representative with respect to the deceased Victim and (ii) the Personal Representative has identified and given notice to the individuals to whom such Advance Benefits will be distributed. In the event such additional claim has been asserted, no Advance Benefit will be paid until a final eligibility determination has been made.

### **D. Personal Representative**

#### **Who is a Personal Representative of a Deceased Victim?**

The Personal Representative is normally the individual appointed by a court as the Personal Representative of the decedent or as the executor or administrator of the decedent's will or estate. If no such Personal Representative has been appointed, and no one disputes the appointment of the Personal Representative, the Special Master may, in his discretion, determine that the Personal Representative is the person named by the decedent in the decedent's will as the executor or administrator, or that the Personal Representative is the first person in the line of succession established by the laws of the state of the decedent's domicile governing intestacy.

### **E. Eligible Injuries**

#### **What type of injury is eligible for compensation?**

1. A physical injury to the body which was treated by a medical professional within 24 hours of the injury having been sustained or of rescue, and
2. that:
  - (i) required hospitalization as an inpatient for at least 24 hours, or
  - (ii) caused, either temporarily or permanently, partial or total physical disability, incapacity or disfigurement.

#### **Paperwork Reduction Act Notice**

An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of information unless it contains a currently valid OMB approval number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least burden on you. The estimated average time to complete and file this application is 6.0 hours. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Office of the Special Master, U.S. Department of Justice, 950 Pennsylvania Ave, NW, Washington, DC 20530; OMB no. 1105-0074. (Do not mail your completed application to this address.)

For filing of claims under Title IV of the Air Transportation and Safety and System Stabilization Act of 2001 (Public Law 107-42) (Approved September 22, 2001).